

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

JULIE M. SUTLIFF,)	
)	
Plaintiff,)	
)	
v.)	4:08-cv-184-SEB-WGH
)	
WAL-MART STORES, INC.,)	
)	
Defendant.)	

**ORDER REGARDING INTERVENOR'S
NOTICE TO AMEND CAPTION**

This matter is before the Honorable William G. Hussmann, Jr., United States Magistrate Judge, on the Intervenor's Notice to Amend Caption filed by Liberty Mutual Group on March 26, 2009. (Docket No. 16). In the notice, Liberty Mutual Group requests that the caption of this case be amended to include it as an intervening plaintiff.

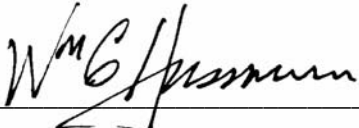
The Magistrate Judge, being duly advised, **DENIES** the request.

The court docket reflects that the Notice of Removal was filed with the Clerk of the Clark County Superior Court on October 29, 2008. Under 28 U.S.C. §1446(d), once a notice of removal is filed with the Clerk of the State court, the removal is effected and "the State court shall proceed no further unless and until the case is remanded." Therefore, any order issued by the Clark County Superior Court granting Liberty Mutual Group the right to intervene in that case was entered after the State court had lost jurisdiction to do so. If Liberty Mutual

Group wishes to intervene in this matter, it should file an appropriate motion with this court within fifteen (15) days of the date of this order.

SO ORDERED.

Dated: April 8, 2009



WILLIAM G. HUSSMANN, JR.
Magistrate Judge

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